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Applicant Initiated Interview Request Form

Application No.: 10/787,337 First Named Applicant: Stephen Todd
Examiner: Tariq S. Najee-Ullah Art Unit: 2453 Status of Application: Pending

Tentative Participants:

(1) Scott J. Gerwin (2) Examiner Tariq Najee-Ullah
(3) _____ (4) _____Proposed Date of Interview: January 18, 2011 Proposed Time: 10 AM (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached☐ Proposed Amendment or Arguments Attached

Brief Description of Arguments to be Presented:

See Continuation Sheet

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative SignatureScott J. Gerwin

Typed/Printed Name of Applicant or Representative

57,866

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.123. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Continuation Sheet

Applicant thanks the Examiner for agreeing to participate in a telephone interview. The interview is tentatively scheduled for Tuesday, January 18, 2011 at 10 a.m.

After receiving this proposed agenda, Applicant would appreciate the Examiner contacting Applicant's representative, Scott J. Gerwin, at telephone number 617-646-8243 to confirm the tentatively scheduled time for the interview.

During the interview, Applicant would like to discuss the rejection of claims 41 and 97. In Applicant's previous response, Applicant pointed out that each of independent claims 1, 21, 41, 63, 80, and 97 includes limitations that relate to the unit of data being accessible in the storage environment by a content address that is based, at least in part, upon at least a portion of the content of the unit of data, and noted that neither Heil nor Nakayama discloses or suggests that data is accessible using this particular type of address.

In response to this argument, the Examiner asserts that the limitations in each of claims 1, 21, 41, 63, 80, and 97 that require that the content address is based, at least in part, upon at least a portion of the content of the unit of data should not be given patentable weight because they appear in the preamble.

Applicant's previous response pointed out that the limitation relating to the content address for the unit of data being based, at least in part, upon at least a portion of the content of the unit of data does not appear in the preamble of claims 41 and 97, but rather appears in the body of these claims, and asked for clarification as to why these limitations in claims 41 and 97 were not given patentable weight and/or where the Examiner believes these limitations are disclosed in the cited prior art references.

However, the Advisory Action mailed December 16, 2010 did not provide any explanation as to why these limitations of claims 41 and 97 were not given patentable weight. Thus, during the telephone interview, Applicant would appreciate clarification from the Examiner as to: (1) why the Examiner has not given patentable weight to the limitations in the bodies of claims 41 and 97 relating to a content address for a unit of data that is based, at least in part, upon at least a portion of the content of the unit of data; and (2) where in the cited prior art the Examiner believes a content address for a unit of data that is based upon at least a portion of the content of the unit of data is disclosed.